

owner shall apply for a permit to the City Plumbing Inspector for instructions before proceeding with his work.

9. That permission shall be granted subject to the above conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations, and the right of revocation is retained if, after hearing, it is found by the City Council that the said Tom Shelby at 1800 Newton Street has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Signed: J. E. Woody, Fire Chief;
R. F. Rockwood, Fire Marshal;
Orin E. Metcalfe, City Engineer.
CITY SAFETY COMMITTEE."

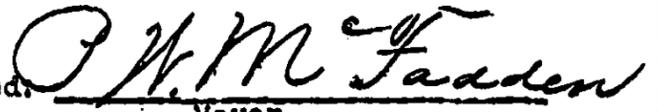
Councilman Mueller moved that permit be granted to said Tom Shelby, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

A petition signed by property owners on Sparks Avenue, asking for a larger water main, etc., was read and referred to the City Manager for attention.

The Council authorized City Manager to proceed with the purchase of land for opening Concordia Avenue to Red River Street, for a consideration of \$683.40, money to be paid out of Street Improvement Bond Fund.

Councilman Pannell moved that the Council recess. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The Council then recessed.

Approved: 
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 2, 1929.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

Mayor McFadden announced that the Council would proceed with the oaths of office and organization of the new Council.

Ed R. Kone, Judge of the Corporation Court, then administered the oath of office to P. W. McFadden, Leo O. Mueller, V. H. Pannell, Dave C. Reed, and E. L. Steck.

The roll was called for the new Council and the following answered present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

Mayor McFadden announced that nominations for mayor were in order.

Councilman Mueller nominated P. W. McFadden as Mayor. Nomination was confirmed by the following vote: Ayes, Councilmen Mueller, Pannell, Reed, and Steck, 4; nays, none, Mayor McFadden present but not voting.

Councilman Reed nominated V. H. Pannell as Mayor Pro tem. Nomination was confirmed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, none, Councilman Pannell present but not voting.

Councilman Pannell nominated Adam R. Johnson as City Manager. Nomination was confirmed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden nominated Ed R. Kone as Judge of the Corporation Court. Nomination was confirmed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Mueller nominated Cal M. Browne as Clerk of the Corporation Court. Nomination was confirmed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Reed nominated Dr. Lee E. Edens as City Health Officer. Nomination was confirmed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Mueller nominated the following as members of the Board of Equalization:

Chas. P. Ledbetter, Chairman;
Jas. A. Belger, Sr.;
A. W. Townsend.

Nominations were confirmed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden announced the time was up for submitting bids for \$1,000,000.00 of Austin City Bonds, and the following bids were then opened and read:

Bid of Seasegood & Mayer, M. F. Schlater & Co., Hoffman & Co., Baschelder, Wack & Co., Stevens & Co., Morris Mather & Co., and H. C. Burt & Co., for par and accrued interest, plus \$15,499.00 premium, on 5% bonds;

Bid of Walter, Woodie & Heimerdinger, and Weil, Roth & Irving Co., for par and accrued interest, plus \$3,000.00 premium, on 5% bonds;

Bid of E. H. Rollins & Co., and Mercantile Bank & Trust Co., for par and accrued interest, plus premium of \$700.00, on 4-3/4% bonds;

Bid of Bankers Company of New York and Security Trust Company of Austin, for par and accrued interest, plus premium of \$18,590.00, on 5% bonds;

Bid of Halsey, Stuart & Co., Chicago, National City Company, New York, Stifel, Nicolaus & Co., St. Louis, and Dallas Trust & Savings Bank, Dallas, for par and accrued interest, plus premium of \$1005.00, on 4-3/4% bonds;

Bid of Guaranty Company, New York, The Detroit Co., G. H. Walker & Co., St. Louis, and First National Company, St. Louis, for par and accrued interest, plus premium of \$2,700.00, on 4-3/4% bonds;

Bid of Dallas Union Trust Co., Dallas, Lehman Bros., Stone & Webster and Blodget, Inc., and Old Colony Corporation, for par and accrued interest, plus premium of \$1,500.00, on 4-3/4% bonds;

Bid of Braun, Bosworth & Co., Dallas and Toledo, C. W. McNear & Co., Chicago, Union Trust Company, Detroit, and Stronahan, Harris & Oatis, Toledo, for par and accrued interest, plus premium of \$1,608.00, for 4-3/4% bonds.

Bid of Taylor, Ewart & Co., New York, Texas Bank & Trust Co., Austin, Mississippi Valley Trust Company, St. Louis, Kauffman, Smith & Co., St. Louis, Wells, Dickey & Co., Minneapolis, and First Minneapolis Trust Co., for par and accrued interest, plus premium of \$21,100.00, on 5% bonds.

Bid of T. H. Bowman, Austin, for par and accrued interest, plus premium of \$17,500.00, for 5% bonds;

Bid of Austin National Bank, Austin, and Ames, Emerich & Co., Inc., Chicago, for par and accrued interest, plus premium of \$14,140.00, for 4-3/4% bonds;

Bid of Continental Illinois Co., Chicago, Harris Trust & Savings Bank, Chicago, Wm. R. Compton Co., St. Louis, Curtis & Sanger, Boston, and Garrett & Co., Dallas, for par and accrued interest, plus premium of \$2,297.00, on 4-3/4% bonds.

W. H. Bridges, Director of Finance, was thereupon instructed to make a tabulation of said bids for the consideration of the Council, and thereafter submitted same to the Council. Thereupon, after due consideration of said bids by the Council, Councilman Reed moved that, it appearing that the bid of Austin National Bank, Austin, and Ames, Emerich & Co., Inc., Chicago, same being for the entire issue of \$1,000,000.00 of bonds, dated May 1, 1929, and maturing July 1, 1930, to July 1, 1959, inclusive, except Fire Stations Bonds, maturing July 1, 1935, to July 1, 1959, inclusive, all bearing interest at 4-3/4% per annum, said bid being for par and accrued interest, plus a premium of \$14,140.00, and said bid agreeing to pay the cost of printing bonds and attorneys fees, was the highest and best bid submitted, that same be accepted, and that said Austin National Bank, Austin, and Ames, Emerich & Co., Inc., Chicago, be awarded the sale of said bonds.

Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The bid of said Austin National Bank, Austin, and Ames, Emerich & Co., Inc Chicago, as accepted by the City Council, is as follows:

"Honorable Mayor and City Council,
Austin, Texas.

Gentlemen:

For One Million Dollars (\$1,000,000) legally issued, City of Austin, Texas, coupon Bonds, dated May 1, 1929, of the denomination of One Thousand Dollars (\$1,000) each, interest payable semi-annually, on the first day of January and July, except that the first interest coupon is for interest for eight months and due January 1, 1930, comprising the issues and maturing serially in accordance with the schedule attached hereto, we will pay the following price:

For Bonds bearing an interest rate of 4-3/4%, par and accrued interest from date of Bonds to date of delivery at Austin, Texas, plus a cash premium of \$14,140.00.

We agree to purchase the Bonds upon the approving opinion of Thomson, Wood and Hoffmann New York, and to pay for the opinion.

We agree to pay the cost of printing the Bonds.

We agree that delivery of Bonds will be made to us at Austin, Texas.

As evidence of our good faith, we are attaching hereto cashier's or certified check in the sum of Twenty Thousand Dollars (\$20,000.00), said check to be held uncashed pending delivery of the Bonds to us in accordance with this bid.

Should we fail to comply with the terms of this bid within fifteen days from date of delivery of approving opinion to us by Messrs. Thomson, Wood and Hoffman, the above mentioned check may be cashed and the proceeds used as full and complete liquidated damages by the City of Austin.

Signed: THE AUSTIN NATIONAL BANK,
AUSTIN, TEXAS..

AMES-EMERICH & CO., CHICAGO.
Bidders."

(Schedule attached to Bid)
(See following page.)

CITY OF AUSTIN, TEXAS, BONDS.

STREET IMPROVEMENT		SANITARY SEWER		PARKS AND PLAYGROUNDS		FIRE STATIONS		Total
Maturity Dates	Numbers	Amount	Numbers	Amount	Numbers	Amount	Maturities	
July 1, 1930	1- 8 inc.	\$ 8,000	1- 4 inc.	\$ 4,000				\$ 15,000
July 1, 1931	9- 17 inc.	9,000	5- 8 inc.	4,000				16,000
July 1, 1932	18- 26 inc.	9,000	9- 13 inc.	5,000				17,000
July 1, 1933	27- 36 inc.	10,000	14- 18 inc.	5,000				18,000
July 1, 1934	37- 46 inc.	10,000	19- 23 inc.	5,000				18,000
July 1, 1935	47- 56 inc.	10,000	24- 28 inc.	5,000				20,000
July 1, 1936	57- 67 inc.	11,000	29- 33 inc.	5,000				21,000
July 1, 1937	68- 78 inc.	11,000	34- 38 inc.	5,000				22,000
July 1, 1938	79- 90 inc.	12,000	39- 43 inc.	5,000				23,000
July 1, 1939	91-102 inc.	12,000	44- 49 inc.	6,000				24,000
July 1, 1940	103-115 inc.	13,000	50- 55 inc.	6,000				25,000
July 1, 1941	116-128 inc.	13,000	56- 62 inc.	7,000				26,000
July 1, 1942	129-142 inc.	14,000	63- 69 inc.	7,000				27,000
July 1, 1943	143-157 inc.	15,000	70- 76 inc.	7,000				29,000
July 1, 1944	158-173 inc.	16,000	77- 83 inc.	7,000				30,000
July 1, 1945	174-190 inc.	17,000	84- 91 inc.	8,000				32,000
July 1, 1946	191-207 inc.	17,000	92- 99 inc.	8,000				33,000
July 1, 1947	208-225 inc.	18,000	100-108 inc.	9,000				35,000
July 1, 1948	226-244 inc.	19,000	109-117 inc.	9,000				36,000
July 1, 1949	245-264 inc.	20,000	118-126 inc.	9,000				38,000
July 1, 1950	265-285 inc.	21,000	127-136 inc.	10,000				40,000
July 1, 1951	286-307 inc.	22,000	137-146 inc.	10,000				42,000
July 1, 1952	308-330 inc.	23,000	147-157 inc.	11,000				44,000
July 1, 1953	331-354 inc.	24,000	158-169 inc.	12,000				46,000
July 1, 1954	355-379 inc.	25,000	170-181 inc.	12,000				48,000
July 1, 1955	380-405 inc.	26,000	182-194 inc.	13,000				50,000
July 1, 1956	406-433 inc.	28,000	195-207 inc.	13,000				52,000
July 1, 1957	434-462 inc.	29,000	208-221 inc.	14,000				55,000
July 1, 1958	463-493 inc.	31,000	222-235 inc.	14,000				58,000
July 1, 1959	494-525 inc.	32,000	236-250 inc.	15,000				60,000
		<u>\$525,000</u>		<u>\$250,000</u>				<u>\$1,000,000</u>
				<u>\$200,000</u>				<u>\$25,000</u>
								<u>\$1,000,000</u>

Mayor McFadden laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of One Thousand Dollars (\$1,000.00) be and the same is hereby transferred from the General Fund to the Sanitary Sewer Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Sanitary Sewer Bonds.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of One Thousand Dollars (\$1,000.00) be and the same is hereby transferred from the General Fund and credited to the Construction Engineers Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Bonds.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the application of Austin Forwarding Company to install gasoline pump and tank at 117 Congress Avenue; also the following recommendations of the Safety Committee upon same:

"Austin, Texas, May 2, 1929.

Hon. Mayor and City Council,

Gentlemen:

We, your committee on the application of W. G. Luedecke, asking permission to install one five-gallon gasoline pump and one ten-barrel underground tank for private use only at 117 Congress Avenue, make the following report:

We, the committee, recommend that this permission be granted subject to the following conditions:

1. That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts, or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.
2. That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.
3. That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State regulations governing such installations. All equipment to be inspected and approved before being placed in service.
4. That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten feet inside the property line.
5. That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.
6. That "NO SMOKING" signs shall be displayed at all times, and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.
7. That there shall be kept in an accessible place at all times, a chemical fire extinguisher for emergency use.
8. That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector and that the property owner shall apply for a permit to the City Plumbing Inspector for instructions before proceeding with his work.

9. That permission shall be granted subject to the above conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said W. G. Luedecke at 117 Congress Avenue has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

Signed: J. E. Woody,
Fire Chief;

Orin E. Metcalfe,
City Engineer.

CITY SAFETY COMMITTEE."

Councilman Mueller moved that permit be granted to said Austin Forwarding Company, through H. G. Luedecke, Proprietor, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Austin Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Austin Gas Company be, and the same is hereby permitted to lay and construct gas mains in and under the following streets:

(1) A 4 inch gas main on East 7th Street, beginning at a point 232 feet east of and 32 feet south of the intersection of the east line of East Avenue and the north line of East 7th Street.

Thence westerly along a line 32 feet distant from and parallel to the north line of East 7th Street to the east line of East Avenue, said gas main to have a cover of not less than 1 1/2 feet.

(2) A 4 inch gas main on Waller Street, beginning at a point 23 feet east of and 23 feet south of the intersection of the west line of Waller Street and the north line of East 8th Street.

Thence northerly along a line 23 feet distant from and parallel to the east line of Waller Street to the south line of East 9th Street, said gas main to have a cover of not less than 1 1/2 feet.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all pertinent terms and conditions of the certain franchise granted to said company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Austin Gas Company has presented to the City Council a map showing the proposed location of a gas main on Barton Creek Road from South Congress Avenue to South 1st Street; and

WHEREAS, a resolution was passed by the City Council of the City of Austin, Texas, on the 18th day of April, 1929, which resolution was recorded in Minute Book 11, page 221, said resolution assigning space 15 feet south of the center line of Barton Creek Road; and

WHEREAS, this assignment has been found impracticable because of the presence of old ties and rails of street car tracks on the assignment given, and therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Austin Gas Company be, and the same is hereby permitted to lay and construct its gas main in and upon the following street:

A 4 inch gas main on Barton Creek Road, beginning at a point 20 feet east of the center line of South Congress Avenue and 20 feet south of the center line of Barton Creek Road;

Thence S 76° 19' W 20 feet distant from and parallel to the center line of Barton Creek Road to a point on the east line of South 1st Street, said gas main to have a cover of not less than 1 1/2 feet.

THAT the work and laying of said gas main, including the excavation in the streets and the restoration and maintenance of said streets after said main has been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

M. L. Bowdoin was heard with reference to the erection of a store building at 2511 Nueces Street. The Council took the matter under advisement.

A communication from M. H. Crockett, asking permission to operate a root-beer stand on the Barton Springs Road, was read, and Councilman Pannell moved that the matter be referred to the City Engineer and Safety Committee for their recommendations. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The application of J. J. Wattinger, Contractor, for working space in the street and alley during the construction of a building on Congress Avenue for the Austin National Bank, was read.

Mayor McFadden then laid before the Council the following resolutions:

WHEREAS, J. J. Wattinger is the contractor for the construction of a building for the Austin National Bank of Austin, Texas, to be situated on the north part of Lot 2 and the south part of Lot 3, Block 56, of the City of Austin and desires to construct a short wood ramp up to the curb in front of the sidewalk abutting said premises and to use the sidewalk space for the ingress and egress of trucks during the work of disposing of the salvage resulting from the concrete floor slabs, bank fixtures and other materials in the first floor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I. That the sidewalk space and privileges hereinabove enumerated be granted to said J. J. Wattinger hereinafter termed "contractor" upon the following express conditions:

(1) That the contractor shall maintain a guard on the sidewalk at this point at all times while the work is going on for the purpose of warning pedestrian traffic of the moving trucks.

(2) That the contractor shall place red lights at both ends of the wooden ramp and on any other obstruction placed adjacent to the curb during all periods of darkness.

(3) That use of the sidewalk space as hereinabove described shall continue only as long as needed for the removal of salvage materials and that thereafter a barricade in accordance with the resolution covering the use of street space on Congress Avenue shall be constructed.

(4) That the contractor, as a condition precedent to the use of the privileges herein granted shall make sufficient bond in the sum of Ten Thousand (\$10,000.00) Dollars, as stated in the resolution covering the use of street space on Congress Avenue to indemnify the City of Austin against all damages to persons or property arising by virtue of the privileges hereinabove granted.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

WHEREAS, J. J. Wattinger is the contractor for the construction of a building for the Austin National Bank of Austin, Texas, to be situated on the north part of Lot 2 and the south part of Lot 3 in Block 56, City of Austin, and desires to occupy a portion of the street abutting said premises during said construction to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to the said J. J. Wattinger, the boundaries of which are defined as follows: beginning at the east line of Congress Avenue at a point 23 feet north of the south line of Lot 3, Block 56; thence in a southerly direction along the east line of Congress Avenue a distance of 50 feet; thence in a westerly direction and at right angles to the center line of Congress Avenue to a point 23 feet east of the center line of Congress Avenue; thence in a northerly direction and parallel to the center line of Congress Avenue a distance of 50 feet; thence in an easterly direction to the point of beginning.

2. That the above privileges and allotments of space are granted to the said J. J. Wattinger hereinafter termed "contractor" upon the following express terms and conditions.

(1) The contractor shall erect and maintain continuously in good condition during the use of the said space hereby allotted at and along the west boundary of the allotted working space a board walk not less than 4 feet in clear width with walls on each side thereof and with a roof not less than 8 feet in height above the walk level, said board walk to extend 3 feet north and south of the allotted working space. The floor of said walk shall be not less than 6 inches nor more than 12 inches above the street pavement and shall be constructed of at least 3/4 inch boards supported with a sufficient number of joints to prevent sagging. The side of the wall of said walk adjacent to the working space shall be boarded solid with at least 3/4 inch boards from the floor to the roof and the wall of said walk adjacent to the street shall be boarded solid with at least 3/4 inch boards to a height of 4 feet above the walk floor. On both walls the sheathing shall be applied to the outside of the wall studs. The roof over said walk shall be constructed with not less than 2 inch thick boards supported by 2x6 rafters and these to be supported by 4x4 posts or the equivalent and a covering of roofing or similar material shall be placed over the boards comprising the roof.

(2) That the contractor shall erect and maintain continuously in good condition during the use of the space hereby allotted at and along the north and south boundaries of the working space, a substantial solid board fence at least 8 feet in height of such a permanent nature that it can be removed only by wrecking.

(3) The contractor shall maintain in the north fence of the working space an opening 8 feet in width for the ingress and egress of trucks and materials; and he shall install at and in said opening a door of the sliding type which shall not swing out toward the street and shall maintain a guard at this opening at all times when the door is open for the purpose of warning pedestrian traffic of moving trucks; and provided further that all vehicular traffic entering said opening shall approach same from East Fifth Street, shall back into the opening and in leaving same shall proceed in a northerly direction along Congress Avenue.

(4) That the contractor at his option shall be allowed during the early part of the construction period to install and operate a gate in the south fence of the allotted working space in accordance with the requirements hereinabove set forth in Section 3, provided that during the use of said gate his opening and gate in the north fence of the allotted working space shall be kept closed at all times or shall be replaced with a substantial 8 foot board fence.

(5) In the use of the working space under the provisions hereinabove set forth in Section 4, all vehicular traffic entering said working space shall enter from Fifth Street and in leaving same shall back out of the opening and proceed in a northerly direction along Congress Avenue.

(6) The contractor shall install four 50 watt lights equally distributed along the ceiling of the walkway and shall install one red light on the outside wall at each end of the walkway and on any other portion of the walkway projecting into the street in such a manner as to present a hazard to vehicular traffic. These lights shall be kept burning during all periods of darkness.

(7) The contractor is allowed to place and maintain a work office and dressing room in the working space herein allotted.

(8) No vehicles shall be unloaded by the contractor while parked on the street outside of the allotted working space.

(9) The contractor is allowed to construct a temporary curb along the west boundary of said premises and within the allotted working space but must restore to the satisfaction of the City Manager any part of the pavement that may be removed or cut before completing his work.

(10) The contractor during his occupancy and use of the space hereby allotted must take care of the storm water on Congress Avenue by adequate provision and to the satisfaction of the City Manager.

(11) The contractor, as a condition precedent to the use of privileges herein granted, shall make sufficient bond in the sum of Ten Thousand (\$10,000.00) Dollars, to guarantee the reconstruction of a sidewalk, pavement, public utilities and guard rails adjacent to said premises according to grades, lines and specifications satisfactory to the City Manager and to indemnify the City of Austin against all damages to persons or property arising by virtue of the privileges hereinabove granted.

(12) The contractor must remove all fences, barricades, walks, materials and other obstructions from the street immediately after the necessity for their existence in said street has ceased, such time to be determined by the City Manager and shall restore said street to as good condition as same existed before the use of space granted to the contractor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

WHEREAS, J. J. Wattinger, is the contractor for the construction of a building for the Austin National Bank of Austin, Texas, to be situated on the north part of Lot 2 and the south part of Lot 3, Block 56, City of Austin and desires to occupy all of the alley space abutting said premises during said construction to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

(1) That space for the uses hereinabove enumerated be granted to the said J. J. Wattinger, the boundaries of which are defined as follows: beginning on the west line of the alley lying between Congress Avenue and Brazos Streets at a point 28 feet north of the south line of Lot 3, Block 56; thence in an easterly direction to east line of the alley; thence in a southerly direction and along the east line of the alley a distance of 60 feet to a point; thence in a westerly direction to the west line of the alley; thence in a northerly direction along the west line of the alley to the point of beginning.

(2) That the above privileges and allotments of space are granted to the said J. J. Wattinger, hereinafter termed "contractor" upon the following express terms and conditions:

1. That the contractor shall erect and maintain continuously and in good condition during the use of the space hereby allotted at and along the north and south boundaries of said working space, a substantial solid board fence at least 8 feet in height of such a permanent nature that it can be removed only by wrecking.

2. The contractor shall construct and maintain in the north and south fences of said working space an opening 8 feet in width for the ingress and egress of trucks and materials and he shall install at and in said opening a gate at which there shall be stationed a guard at all times when the gate is open for the purpose of warning pedestrian traffic of moving trucks.

3. The contractor is allowed to construct a temporary curb along the east boundary of said premises and within the allotted working space; but must restore to the satisfaction of the City Manager any part of the pavement that may be removed or cut before completing his work.

4. The contractor during his occupancy and use of the space hereby allotted must take care of the storm water in the alley by adequate provision and to the satisfaction of the City Manager.

5. The contractor, as a condition precedent to the use of privileges herein granted shall make sufficient bond in the sum of Ten Thousand (\$10,000.00) Dollars, as stated in the resolution covering the use of street space on Congress Avenue adjacent to said premises to guarantee the reconstruction of pavement, public utilities and guard rails adjacent to said premises according to grades, lines and specifications satisfactory to the City Manager and to indemnify the City of Austin against all damages to persons or property arising by virtue of the privileges hereinabove granted.

6. The contractor must remove all fences, barricades, materials and other obstructions from the street and alley immediately after the necessity for their existence in said street and alley has ceased, such time to be determined by the City Manager and shall restore the street and alley to as good condition as same existed before the use of the space granted to the contractor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following ordinance:

AN ORDINANCE REGULATING THE
STANDING OF VEHICLES ON A
CERTAIN PORTION OF CONGRESS
AVENUE IN THE CITY OF AUSTIN,
REPEALING ALL ORDINANCES IN
CONFLICT AND PRESCRIBING A
PENALTY.

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved that the rule be further suspended and the ordinance placed on its third reading. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed, subject to call of the Mayor.

Approved:

J. M. Fadden
M a y o r .